

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7615

BILL NUMBER: SB 508

NOTE PREPARED: Feb 19, 2007

BILL AMENDED: Feb 19, 2007

SUBJECT: Electrified Perimeter Fences at Prisons.

FIRST AUTHOR: Sen. Waterman

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: (Amended) This bill has the following provisions:

- A. It authorizes the Department of Correction to install an electric perimeter fence system capable of delivering a lethal electrical shock at medium or maximum security facilities to prevent the escape of offenders detained in the facilities.
- B. It specifies that an electric perimeter fence system must be sandwiched between two conventional fences and designed to minimize the danger to wildlife.
- C. It provides civil immunity for a contractor hired by the Department to install, operate, or maintain an electric perimeter fence system based in an injury suffered by a person confined in the correctional facility.

Effective Date: July 1, 2007.

Explanation of State Expenditures: This bill would give the Department of Correction (DOC) the authority to install an electrified perimeter fence at medium and maximum security facilities. The DOC has estimated the cost for fences at two such facilities as \$2.8 M and \$3.5 M. [DOC currently operates 15 facilities that house offenders at medium or maximum security levels.] Expenditures would be subject to administrative and legislative actions.

Background: This bill would grant civil immunity to any contractor who installs an electrified perimeter fence. The electrified perimeter fence, which is placed in between two conventional fences, is designed to transmit a warning shock the first time that a person touches it and a lethal shock the second time a person makes contact with it. Ensuring that a contractor is immune from any civil lawsuit for injury or death caused by an offender touching the fence will make it possible to contract with a firm to install the fence.

The Department of Correction has at least two facilities that were once in predominantly rural areas and now have residential development nearby. To minimize the possibility of escapes, DOC is examining benefits and costs of installing electrified perimeter fences around selected facilities.

The Westville Correctional Facility, which is located in LaPorte County, was originally a hospital for the mentally ill and changed into a correctional facility in 1979. The cost to install such a system at this facility is estimated to cost \$3.5 M.

The Wabash Valley Correctional Facility was built in 1992 and is located in Sullivan County. The cost for installing an electrified perimeter fence at this facility is estimated to be \$2.8 M.

DOC currently operates 23 adult facilities. Of these, 15 facilities house offenders at medium or maximum security levels.

The bill does not include an appropriation to finance any construction. Expenditures would be subject to both administrative and legislative actions.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected:

Information Sources: Tim Brown, Department of Correction

Fiscal Analyst: Mark Goodpaster, 317-232-9852.